

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VONLEE NICOLE TITLOW,

Plaintiff,

v.

CORRECTIONAL MEDICAL SERVICES, INC.;
CRAIG HUTCHINSON, M.D.; KEITH IVENS,
M.D.; GREGORY NAYLOR, M.D.; JEFFREY
STIEVE, M.D.; HARESH PANDYA, M.D.;
CRYSTAL RICE; and CRAIG WITHROW,

Defendants.

Case No. 07-12083

Honorable John Corbett O'Meara

**ORDER DENYING DEFENDANT KEITH IVENS, M.D.'S
NOVEMBER 22, 2011 MOTION FOR RECONSIDERATION**

This matter came before the court on defendant Keith Ivens, M.D.'s November 22, 2011 motion for reconsideration. Pursuant to Local Rule 7.1(h)(2), no response was filed and no oral argument was heard.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

Local Rule 7.1(h)(3).

This court entered an opinion and order November 8, 2011, denying defendant Ivens' motion for summary judgment. Dr. Ivens filed this motion for reconsideration, claiming that the court was misled by a palpable defect regarding the extent of his involvement in plaintiff Vonlee Titlow's medical care. The court stated in its order that Ivens was "directly involved in *each* of the requested

denials of a surgical consult." (Emphasis added.) Ivens contends, however, that he was involved in only three and not involved in an additional five denials.

Even if the court was misled in that regard, the defect does not result in a different disposition of the case. There remain genuine issues of material fact regarding Dr. Ivens' involvement with Plaintiff's care. Therefore, the court will deny his motion for reconsideration.

ORDER

It is hereby **ORDERED** that defendant Keith Ivens, M.D.'s November 22, 2011 motion for reconsideration is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: December 20, 2011

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 20, 2011, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager